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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. 05-608M
10)
11 Plaintiff,)
12)
13 v.)
14 TERRY EDWARD JOHNSON,)
15)
16 Defendant.)
17)
18)
19)
20)
21)
22)

14 Offense charged:

15 Conspiracy to Distribute Cocaine Base

16 Date of Detention Hearing: Initial Appearance, December 16, 2005

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
19 that no condition or combination of conditions which defendant can meet will reasonably assure
20 the appearance of defendant as required and the safety of other persons and the community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 (1) Defendant is charged with three co-defendants with conspiring to distribute 50

01 grams or more of a mixture and substance containing cocaine base (crack cocaine).

02 (2) Defendant was not interviewed by Pretrial Services. There is no additional
03 information regarding his personal history, residence, family ties or ties to the Western District of
04 Washington, income, financial assets or liabilities, physical/mental health or controlled substance
05 use if any. His criminal history includes failure to comply charges, and VUCSA charges. The
06 defendant does not contest detention.

07 (3) The defendant poses a risk of nonappearance due to unknown background
08 information and a history of failing to comply with court orders. He poses a risk of danger due to
09 criminal history and the nature of the instant charges.

10 (4) There does not appear to be any condition or combination of conditions that will
11 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
12 to other persons or the community.

13 It is therefore ORDERED:

14 (1) Defendant shall be detained pending trial and committed to the custody of the
15 Attorney General for confinement in a correction facility separate, to the extent
16 practicable, from persons awaiting or serving sentences or being held in custody
17 pending appeal;

18 (2) Defendant shall be afforded reasonable opportunity for private consultation with
19 counsel;

20 (3) On order of a court of the United States or on request of an attorney for the
21 Government, the person in charge of the corrections facility in which defendant is
22 confined shall deliver the defendant to a United States Marshal for the purpose of

an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 16th day of December, 2005.



Mary Alice Theiler
United States Magistrate Judge